

## METROPOLITAN DEVELOPMENT COMMITTEE

DATE: February 25, 2008

CALLED TO ORDER: 5:31 p.m.

ADJOURNED: 6:02 p.m.

### ATTENDANCE

#### Attending Members

Lincoln Plowman, Chair  
Virginia Cain  
André Carson  
Jeff Cardwell  
José Evans  
Dane Mahern  
Janice McHenry  
Jackie Nytes

#### Absent Members

Ben Hunter

### AGENDA

PROPOSAL NO. 57, 2008 - appoints Alan Retherford to the Metropolitan Board of Zoning Appeals, Division III  
“Do Pass”

Vote 8-0

PROPOSAL NO. 58, 2008 - appoints Keith D. Smith to the Metropolitan Board of Zoning Appeals, Division I  
“Do Pass”

Vote 7-1

PROPOSAL NO. 59, 2008 - appropriates \$156,000 in the 2008 Budget of the Department of Metropolitan Development (Federal Non-lapsing Grants and State Non-lapsing Grants Funds) to fund the purchase of supplies and equipment for the Indianapolis Brownfield Redevelopment Program and to fund electrical and natural gas services for businesses in the Indiana University Emerging Technologies Center, financed by an existing EPA Assessment Grant and a State of Indiana Technology Development Fund Grant  
“Do Pass”

Vote 8-0

PROPOSAL NO. 60, 2008 - appropriates \$460,000 in the 2008 Budget of the Department of Metropolitan Development (Federal Grants Fund) to fund capital repairs needed at the Indiana Theatre Building, financed by prior years' program income generated by Urban Development Action Grants  
“Do Pass”

Vote 8-0

PROPOSAL NO. 75, 2008 - appoints Larry J. Walker to the Metropolitan Board of Zoning Appeals, Division II  
“Do Pass”

Vote 8-0

PROPOSAL NO. 76, 2008 - appoints Randolph Snyder to the Metropolitan Development Commission  
“Do Pass”

Vote 8-0

## METROPOLITAN DEVELOPMENT COMMITTEE

The Metropolitan Development Committee of the City-County Council met on Monday, February 25, 2008. Chair Lincoln Plowman called the meeting to order at 5:31 p.m. with the following members present: Virginia Cain, André Carson, Jeff Cardwell, José Evans, Dane Mahern, Janice McHenry, and Jackie Nytes. Absent was Benjamin Hunter.

Chair Plowman asked for consent to move Proposal Nos. 75 and 76, 2008 up on the agenda to be heard before Proposal No. 59, 2008. Consent was given.

### PROPOSAL NO. 57, 2008 - appoints Alan Retherford to the Metropolitan Board of Zoning Appeals, Division III

Mr. Retherford said that he has lived in Franklin Township for over 40 years. He said that he worked as a Farm Appraiser and Farm Loan Field man at an insurance company for many years and in the Real Estate business for approximately 30 years. His wife also worked as a Real Estate Salesperson for Remax, and of his four children, his son David Retherford is a zoning attorney who typically tries to schedule his hearings to go before the other two zoning boards. Mr. Retherford said that he served approximately 17 years on Zoning Board I, of which he chaired for about 12 years.

Councillor Cardwell moved, seconded by Councillor Cain, to forward Proposal No. 57, 2008 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

Mr. Retherford commented that he is a firm believer in following through on a commitment to serve. He said that when he previously served on the board, his average attendance was about 25 out of 16 due to substituting for other board members. He said that he may not be able to attend any meetings until April of 2008, but he assures the Committee that he will attend every meeting possible and be available to substitute for other board members when necessary.

### PROPOSAL NO. 58, 2008 - appoints Keith D. Smith to the Metropolitan Board of Zoning Appeals, Division I

Mr. Smith said that he retired from the Indianapolis Fire Department after 38 years of service, eight of which he served as the Fire Chief under former Mayor Steve Goldsmith. He is currently the Fire Chief in Carmel, Indiana, Hamilton County. He said that he has lived in Franklin Township for 30 years and looks forward to serving the City of Indianapolis again.

Councillor Nytes asked Mr. Smith if he has any type of relationship with the Marion County Association of Neighborhood Associations (MCANA). Mr. Smith answered in the negative. Councillor Nytes stated that MCANA pays close attention to zoning issues and she encouraged Mr. Smith to become associated with the organization. She explained that MCANA represents neighborhood organizations and has many concerns about land use. Mr. Smith stated that he does believe in partnerships and believes that becoming familiar with MCANA is a partnership that he needs to pursue, as well as all other civic and neighborhood groups. He added that he served on the zoning board in 1971 and 1972.

Councillor Evans asked Mr. Smith if he will be able to manage attending all of the zoning board meetings with his responsibilities as Fire Chief in Carmel. Mr. Smith answered that with advanced

notice, he can adjust his schedule to accommodate his responsibilities in serving on the board. He added that he also has a sufficient amount of vacation time to ensure his attendance at the hearings. Chair Plowman explained that the zoning hearings meet approximately 16 times per year, once and/or twice a month. He said that Mr. Smith may occasionally be asked to substitute for someone else, but there is no obligation to do so. He said that if at any time Mr. Smith feels he is unable to fulfill the duties of the board, he may simply inform the Council.

Councillor Evans asked Mr. Smith if he is familiar with the Comprehensive Plan for the City of Indianapolis. Mr. Smith answered that he is not very familiar with the current plan, but he will again become familiar. He said that he was with the City's Fire Department until 2002, during which time he was very familiar with the Comprehensive Plan. Chair Plowman added that the Comprehensive Plan was changed about a year or two ago.

Councillor Cardwell moved, seconded by Councillor Cain, to forward Proposal No. 58, 2008 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-1, with Councillor Evans casting the negative vote.

PROPOSAL NO. 75, 2008 - appoints Larry J. Walker to the Metropolitan Board of Zoning Appeals, Division II

Mr. Walker said that he is a lifelong resident of Marion County. He has been a custom homebuilder for 30 years and is a real estate broker and land developer. He said that he served on the Zoning Appeals Board during former Mayor Goldsmith's administration.

Councillor Cain asked Mr. Walker what his take is on the Comprehensive Plan. Mr. Walker said that he views the Comprehensive Plan as a guideline, but he believes that each case should be examined individually. He added that he was pleased to see a new plan.

Councillor Nytes asked if Mr. Walker is familiar with MCANA. Mr. Walker answered in the affirmative, but stated that he has not been actively involved with the group.

Chair Plowman asked if background checks have been completed on all of the appointees. NaTrina Moffett, clerk, answered in the affirmative.

Councillor Cardwell moved, seconded by Councillor Mahern, to forward Proposal No. 75, 2008 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 76, 2008 - appoints Randolph Snyder to the Metropolitan Development Commission

Mr. Snyder said that he is a lifelong resident of Indianapolis and he worked in the banking industry for over 30 years, retiring a few years ago from Merchants and National City. He returned to the banking business and currently works at a small bank. He said that he served approximately 13 years on the Metropolitan Development Commission, the last four of which he was President. He started with the Commission the last year of Mayor William Hudnut's administration, continued through Mayor Goldsmith's administration, up to the first four years of Mayor Bart Peterson's administration. He said that he is very familiar with the Comprehensive Plan, as he worked with it

extensively. Mr. Snyder said that his experience with the Comprehensive Plan seemed to indicate that if the plan served one's needs for a specific goal, then the plan was absolute. However, if the plan did not serve the need, it was a guideline. He said that in his opinion, the plan is a guideline, and he is pleased that it has been renewed.

Chair Plowman commented that Mr. Snyder witnessed many changes through his tenure on the Commission. Mr. Snyder stated that he has missed serving on the Commission, as it was nice to be a part of the many successes that took place in Indianapolis during the 13 years that he served.

Councillor Cain moved, seconded by Councillor Cardwell, to forward Proposal No. 76, 2008 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 59, 2008 - appropriates \$156,000 in the 2008 Budget of the Department of Metropolitan Development (Federal Non-lapsing Grants and State Non-lapsing Grants Funds) to fund the purchase of supplies and equipment for the Indianapolis Brownfield Redevelopment Program and to fund electrical and natural gas services for businesses in the Indiana University Emerging Technologies Center, financed by an existing EPA Assessment Grant and a State of Indiana Technology Development Fund Grant

Maury Plambeck, Director, Department of Metropolitan Development (DMD), introduced Chris Harrell, Manager of the Brownfield Program, DMD Community Economic Development Division. Mr. Plambeck said that \$6,000 of the grant is for the Brownfield program and comes from the Environmental Protection Agency (EPA). The other \$150,000 goes to the Certified Technology Parks. Mr. Plambeck said that there are two Certified Technology parks in Indianapolis, one of which is at the north end of the Canal over to White River in the Stadium Drive area. He said that the purpose of this park is to provide incentives and assistance for Life Sciences/Bio Crossroads types of businesses. He said that the other Certified Technology Park is at Intech Park in Pike Township. This grant can help businesses in the Certified Technology Parks, as it is directly from the state and would go to the Indiana University Emerging Technology Center (IUETC), which is an incubator on the north end of the canal that helps life sciences businesses get started. Because the grant helps these businesses get started, this particular grant is for the increased electrical and gas costs that these businesses typically experience due to additional equipment. The process involves the state awarding the grant to DMD to be given to the businesses.

Councillor Nytes stated that the Certified Technology Park receives a special stream of revenue by virtue. She asked if this grant is additional revenue. Mr. Plambeck answered in the affirmative. Councillor Nytes asked if the funds are coming from the captured tax revenues from the technology park area. Galen Himmelheber, DMD Chief Financial Officer, answered in the negative, and stated that this grant is additional funding. He explained that Certified Technology Parks are similar to Tax Increment Financing (TIF) districts, in that the parks generate increments of revenue from a base line that was established when the district was created and it is a collection of the increment of sales tax and income tax. Therefore, that stream of revenue has nothing to do with property taxes.

Chair Plowman asked for the Office of Finance and Management (OFM) Staff to introduce themselves. Jeff Seidenstein stated that he is with the Budget Office of OFM, and introduced their new Deputy Controller for Budget, Jason Dudich, who formerly worked for the State Budget Agency. James Johnson stated that he is a Budget Analyst for OFM.

Chair Plowman asked if there are any other questions about Proposal No. 59, 2008. Hearing none, Councillor Nytes moved, seconded by Councillor Mahern, to forward Proposal No. 59, 2008 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 60, 2008 - appropriates \$460,000 in the 2008 Budget of the Department of Metropolitan Development (Federal Grants Fund) to fund capital repairs needed at the Indiana Theatre Building, financed by prior years' program income generated by Urban Development Action Grants

Chair Plowman stated that he was under the impression that he was a cosponsor of this proposal, but it is not indicated on the ordinance. He asked to be added as a sponsor of the proposal.

Mr. Plambeck introduced Cathy Davidson, Senior Project Manager, DMD Community Economic Development Division, and stated that she manages the properties that DMD owns. Ms. Davidson said that the Indiana Theatre is one of the buildings that DMD owns and it is a historic landmark in downtown Indianapolis. The theatre is in need of capital improvements, as there has been a great deal of deferred maintenance over the years. Ms. Davidson said that a Capital Assessment was completed last year by Edward George and Associates that detailed the priorities of the necessary capital improvements. She said that the requested funds will mainly cover replacing the roof, which has not been replaced since around 1979, and repairing the drains. She added that the damaged roof has also caused many leaks into the building, which has resulted in a lot of water damage inside the building and to the three suites in the basement.

Chair Plowman said that he was not aware that the City owned the Indiana Theatre building. He asked what other types of buildings the city owns. Mr. Plambeck answered that the City owns landmark buildings, such as this one, that possibly came into DMD ownership to avoid being demolished. The other landmark building is near Union Station. He said that DMD also owns other buildings or property with the goal of selling them for redevelopment, such as the Central State Hospital site, former City Hall, and the former Market Square Arena site. Chair Plowman asked if the City owns the City-County Building. Mr. Plambeck answered in the negative. Chair Plowman stated that Building Authority is in charge of the repair on many buildings, and asked if they are involved with the repair for the Indiana Theatre building. Mr. Davidson answered that Building Authority has been involved in small maintenance projects, but something of this magnitude would be outside of their realm.

Councillor Nytes asked about the fairly complex ownership structure of the theatre building, which involves the City, the Community Development Corporation (CDC), and some other partnerships. Mr. Himmelheber explained that the City received a number of Urban Development Action Grants (UDAG) in the early 1980s. The grants were economic development, urban renewal-type grants that were intended to revitalize the downtown area. He said that the City gave the grants to a number of development partners to form public-private partnerships. One of the loans went to a group called Downtown Merchants Development Corporation, of which the primary partner was Jim Kittle, Sr. Mr. Kittle recognized that the building did not generate enough income to maintain the common areas of the building, and the City, therefore, stepped in and formed a group to share the responsibilities of maintaining those areas. This group was known as the Indiana Theatre Condominium Association and they shared five-ninths of the building, while the Downtown Merchants Development Corporation shared four-ninths of the building, which they split into

condominium-type units. Mr. Himmelheber said that this particular partnership lasted until 1997, when Mr. Kittle became ill. Mr. Kittle asked the City if they would allow the Downtown Merchants Development Corporation to act as a silent partner. They could not totally escape all of the agreements because of the tax credits they received under their original agreement. Mr. Himmelheber said, in 1998, the City agreed to this request and took full control, and this agreement does not expire until 2012. He said that he believes that this time frame is consistent with the original 1982 agreements to which the tax credits were attached.

Councillor Mahern stated that there has been previous funding for the roof of the theatre building, and asked if the requested amount will come close to completing the roof repairs. Ms. Davidson answered that this is the final phase to totally repair the roof.

Councillor Nytes asked if the source of the revenue is coming from repayments that have accumulated against the original Action Grant loans. Mr. Himmelheber answered that the revenue source is from a number of repayments of loans throughout downtown. He said that there were a number of projects in which the City received the funds in the form of a grant that did not have to be paid back to Housing and Urban Development, but the City dispersed the funds in the forms of loans. UDAG loans were given for revitalization of several downtown buildings, including: the One North Capital building, whose work was done by Duke Partnership; the Two West Washington building; and the former Claypool Court, now Embassy Suites building. Mr. Himmelheber stated that the revitalizations were a precursor to Circle Centre Mall. He said that the requested funds are from the repayment of the UDAG loans over time and what is left of the repayments. Councillor Nytes said that she hopes that everyone will support this resolution, as she recently spoke with a downtown business owner who stated that being able to speak about the sports venues, as well as the cultural venues of Indianapolis makes a huge difference when recruiting new employees. She added that it is a great comment that the City continues to partner with the cultural groups that utilize the facility to protect these types of assets.

Councillor Cain moved, seconded by Councillor Nytes, to forward Proposal No. 60, 2008 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

### Conclusion

With no further business pending, and upon motion duly made, the Metropolitan Development Committee of the City-County Council was adjourned at 6:02 p.m.

Respectfully submitted,

Lincoln Plowman, Chair  
Metropolitan Development Committee

LP/nsm